

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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DATE FILED: 4/27/20

**ROBERT PRESILIER,**

**Plaintiff,**

**-against-**

**THE CALDER FOUNDATION,**

**Defendants.**

**20-cv-0684 (ALC)**

**ORDER TO SHOW CAUSE**

**ANDREW L. CARTER, JR., United States District Judge:**

On January 24, 2020, Plaintiff filed a Complaint in the instant case. ECF No. 1. Rule 4(m) of the Federal Rules of Civil Procedure provides:

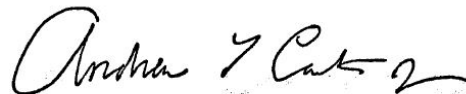
If a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.

Under this rule, Plaintiff was required to serve Defendants no later than April 9, 2020.

The 90-day period permitted under Rule 4(m) has expired. To date, there has been no proof of service filed with respect to the Defendants, nor has there been any application for the extension of time that shows good cause for such failure. Accordingly, Plaintiff is hereby ORDERED TO SHOW CAUSE in writing no later than May 22, 2020, why this case should not be dismissed without prejudice pursuant to Rule 4(m).

**SO ORDERED.**

Dated: April 27, 2020  
New York, New York



**ANDREW L. CARTER, JR.**  
**United States District Judge**